

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

No. 5:10-CR-212-FL-1
No. 5:13-CV-281-FL

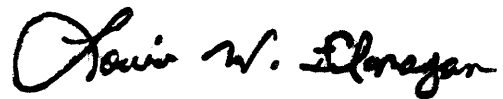
LORENZO LANCE FOX,)	
)	
Petitioner,)	
)	
v.)	
)	ORDER
UNITED STATES OF AMERICA,)	
)	
Respondent.)	

This matter is before the court on its own initiative. On June 11, 2013, this court granted petitioner's motion to vacate sentence under 28 U.S.C. § 2255 (DE 28), on the basis of Dorsey v. United States, 132 S.Ct. 2321, 2331 (2012), and on the government's response in support thereof confirming that petitioner is no longer subject to a ten-year mandatory minimum sentence. The court set the matter for resentencing hearing on July 12, 2013 in New Bern, North Carolina, and directed the United States Probation Office to prepare a re-sentencing recommendation by July 1, 2013.

The court received information through the Clerk of Court regarding petitioner's inability to travel to his resentencing hearing on July 12, 2013, due to ongoing medical treatment taking place at petitioner's place of confinement in Springfield, Missouri. The United States Marshals Service recommends using video conferencing as an option to enable petitioner to attend the resentencing hearing.

In light of these developments, the court DIRECTS the parties to confer and jointly propose within seven (7) days of the date of this order a suggested course of action, such as directing attendance at the sentencing hearing by video conference, or continuance of the hearing, or other course of action, if warranted.

SO ORDERED this the 24th day of June, 2013.

A handwritten signature in black ink, reading "Louise W. Flanagan". The signature is written in a cursive style with a large, looped initial "L".

LOUISE W. FLANAGAN
United States District Judge